



*RCE/*  
*IR*

PATENT

ATTORNEY DOCKET NO.: 040894-7160

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	Confirmation No.: 9680
	)	
Kazuo HIGUCHI	)	Art Unit: 3721
	)	
Application No.: 10/520,124	)	Examiner: N. Chukwurah
	)	
Filed: January 3, 2005	)	
	)	
For: RESIDUAL STAPLE AMOUNT	)	
DETECTION DEVICE OF ELECTRIC	)	
STAPLER	)	

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Window, Mail Stop RCE**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

**AMENDMENT AND REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:
- ☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (any unentered amendment(s) referred to above will be entered).
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_.

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- ☒ Enclosed:
- ☒ Amendment
  - ☐ Supplemental Reply
  - ☐ Affidavit(s)/Declaration(s)
  - ☐ Information Disclosure Statement
  - ☐ Form 1449

## 2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).

- ☐ Other: \_\_\_\_\_.

## 3. Fees Calculation

- (a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ **\$790.00**
- ☐ \$385.00 (for small entity)

- (b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	18	minus	20	0	x \$50 each =	+ \$00.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$200 each =	+ \$00.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$360.00	+ \$00.00
SUB-TOTAL =						\$00.00
Reduction by ½ for filing by a small entity						- \$00.00
TOTAL FEE =						\$00.00

## (c) Extension of Time

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input type="checkbox"/> three months	\$ 1020.00	\$510.00
<input type="checkbox"/> four months	\$ 1590.00	\$795.00

☐ An extension for \_\_\_\_\_ month has already been secured and the fee paid therefor of \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

The extension of time fee for this request: \$0.00.

If an additional extension of time or an additional fee is required, please consider this a Petition therefor.

4. Fee Payment

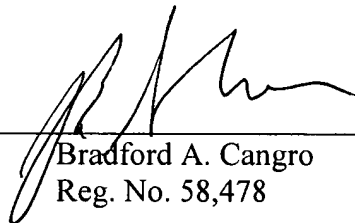
- ☐ Enclosed is a check in the amount of \$\_\_\_\_\_.
- ☒ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of **\$790.00** for the RCE filing.
- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN LEWIS & BOCKIUS LLP**

Dated: October 4, 2006

By:

  
\_\_\_\_\_  
Bradford A. Cangro  
Reg. No. 58,478

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